

So Ordered.

Signed this 4 day of January, 2019.



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Robert E. Littlefield, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In Re:

Case No. 18-10864  
Chapter 13

DAVID B. BRITTON and  
CHRISTINA LOCICERO-BRITTON,  
Debtors.

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**ORDER VOIDING JUNIOR MORTGAGE LIEN IN THIS CHAPTER 13 CASE**

A motion (the “Motion”) was filed by David B. Britton and Christina Locicero-Britton (“Movants”) for entry of an order determining that the junior mortgage lien of Trinity Financial Services, LLC as a lien of record against the Debtor[’s’] real property located at 15 Lincoln Avenue, Glens Falls, New York (the “Property”) is void as being wholly unsecured under 11 U.S.C. §506(a) and §1322(b) and reclassifying the secured claim of Trinity Financial Services, LLC (Claim No. 7) as an unsecured claim. A hearing was held on **November 29, 2018**. It appears that due and sufficient notice of the Motion and the hearing thereon was provided:

NOW, after due deliberation and per the terms on the record, and sufficient cause appearing therefore; it is hereby

ORDERED, that pursuant to 11 U.S.C. §506(a) and §1322(b), the Motion is GRANTED; and it is further

ORDERED that the junior mortgage lien on the Property held by Trinity Financial Services, LLC, shall be treated as wholly unsecured during the pendency of the Debtor['s'] Chapter 13 plan; and it is further

ORDERED, that any claim filed on account of the junior mortgage lien of Trinity Financial Services, LLC (Claim No. 7) shall be treated as wholly unsecured during the pendency of the Chapter 13 case; and it is further

ORDERED, that upon the filing by the Chapter 13 trustee of a Certification of Completed Chapter 13 Plan with this Court, the junior mortgage lien held by Trinity Financial Services, LLC described above shall automatically become void, released and discharged; and it is further

ORDERED, that the Debtor(s) may present a certified copy of the Order and a copy of the Certification of Completed Chapter 13 Plan filed by the Chapter 13 trustee with this Court to the Clerk of Warren, who may mark the aforesaid junior mortgage lien held by Trinity Financial Services, LLC as discharged from the Debtor['s'] real property located at 15 Lincoln Avenue, Glens Falls, New York.

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